

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

WISCONSIN CENTRAL LTD.,  
Petitioner

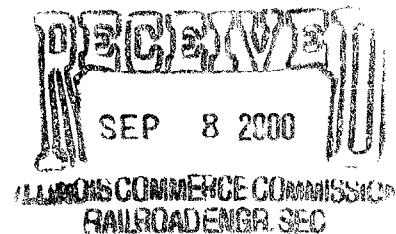
v.

ILLINOIS DEPARTMENT OF TRANSPORTATION  
and VILLAGE OF MOUNT PROSPECT

Respondents.

Petition for Wisconsin Central Ltd. seeking an order  
of the Illinois Commerce Commission directing that an  
additional track and grade crossing be constructed  
and that grade crossing improvements be made at  
Kensington-Foundry Road (DOT 689-680D) on the  
Wisconsin Central Ltd. in Mount Prospect, Cook  
County, IL.

Docket No. T00-0032



DEPARTMENT'S EXCEPTIONS TO  
HEARING EXAMINER'S PROPOSED ORDER

NOW COMES Petitioner, Illinois Department of Transportation ("Department"), by its attorney Jim Ryan, Illinois Attorney General, and for its Exceptions To Hearing Examiner's Proposed Order states as follows:

1. During the August 1, 2000 hearing, questions were raised by the Department and were directed toward Railroad witness Jack Palloch concerning the proposed location of the railroad signal bungalow, as depicted in Exhibit B.
2. In response, Railroad witness Jack Palloch indicated the plans (Exhibit B) would be changed to reflect a movement of the railroad signal bungalow three feet closer to the railroad right-of-way line.
3. The first Ordering Provision on page 3 of the Hearing Examiner's Proposed Order, however, reads as follows:

It is therefore ordered that permission be, and it is hereby granted to the Wisconsin Central Ltd. to construct an additional track across the Kensington-Foundry Road crossing in the Village of Mount Prospect, Cook County, Illinois, to construct a concrete crossing surface, to improve the existing crossing surface to a concrete crossing surface, and to relocate the automatic flashing light signals, gates, and bells as graphically described in Exhibit B, *attached to the petition*. (emphasis added)

DOCKETED

4. Exhibit B, as attached to Wisconsin Central's Petition, does not incorporate the agreed modified location for the railroad signal bungalow.

Wherefore, Respondent Illinois Department of Transportation respectfully requests that the following changes be made to the Hearing Examiner's Proposed Order dated August 15, 2000:

A. Exhibit B be modified by interlineation to accurately reflect locating the railroad signal bungalow an additional three feet closer to the railroad right-of-way line, and

B. The first Ordering Provision on page 3 be modified to read as follows:

It is therefore ordered that permission be, and it is hereby granted to the Wisconsin Central Ltd. to construct an additional track across the Kensington-Foundry Road crossing in the Village of Mount Prospect, Cook County, Illinois, to construct a concrete crossing surface, to improve the existing crossing surface to a concrete crossing surface, and to relocate the automatic flashing light signals, gates, and bells as graphically described in Exhibit B, as modified.

Respectfully submitted,  
ILLINOIS DEPARTMENT OF TRANSPORTATION

By: Jim Ryan  
Attorney General

  
\_\_\_\_\_  
Stacey C. Hall  
Special Assistant Attorney General

Dated September 6, 2000

Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 311  
Springfield, Illinois 62764  
Telephone (217)782-3215

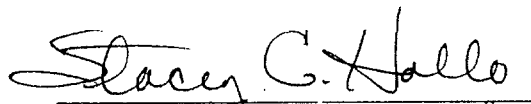
STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

WISCONSIN CENTRAL LTD.,	)	
Petitioner	)	
	)	
v.	)	
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and VILLAGE OF MOUNT PROSPECT	)	
	)	
Respondents.	)	
	)	
Petition for Wisconsin Central Ltd. seeking an order	)	
of the Illinois Commerce Commission directing that an	)	
additional track and grade crossing be constructed	)	
and that grade crossing improvements be made at	)	
Kensington-Foundry Road (DOT 689-680D) on the	)	
Wisconsin Central Ltd. in Mount Prospect, Cook	)	
County, IL.	)	

NOTICE OF FILING

TO: Ms. Janet H. Gilbert, WC  
Mr. Michael J. Barron, Atty.  
Gerald L. Farley, Village President  
Velma Lowe, Village Clerk

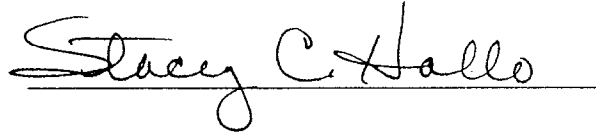
PLEASE TAKE NOTICE that I have this 6th day of September, 2000,  
forwarded to Mr. Kevin Sharpe, Director of Processing, Transportation Division, of  
the Illinois Commerce Commission, Springfield, Illinois, for filing in the above  
matter, Department's Exceptions to Hearing Examiner's Proposed Order, a copy  
of which is attached hereto and hereby served upon you.

  
\_\_\_\_\_  
Stacey C. Holl  
Special Assistant Attorney General  
2300 South Dirksen Parkway  
Room 311  
Springfield, Illinois 62764  
(217) 782-3215

Counsel for the Illinois  
Department of Transportation

## PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served upon the addressees listed below by mailing a true and correct copy via first class mail, postage pre-paid and depositing the same in the United States Mail, Springfield, Illinois, this 6th day of September, 2000:

A handwritten signature in cursive script, reading "Stacy C. Hallo", is written over a horizontal line.

Ms. Janet H. Gilbert  
Wisconsin Central Ltd., President  
P.O. Box 5062  
Rosemont, Illinois 60017-5062

Mr. Michael J. Barron, Jr.  
General Attorney  
Wisconsin Central Ltd.  
P.O. Box 5062  
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Gerald L. Farley  
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